

## Administrative Order



**Administrative Order No.: 7-41**

**Title: PRE-EMPLOYMENT FINGERPRINT BASED CRIMINAL HISTORY RECORDS CHECK**

**Ordered: 10/18/2005**

**Effective: 10/28/2005**

### **AUTHORITY:**

Section 4.02 of the Miami-Dade County Home Rule Amendment and Charter;  
Section 2.42 of the Code of Miami-Dade County.

### **POLICY:**

It is the policy of Miami-Dade County to perform a comprehensive pre-employment fingerprint based criminal history records check on applicants, volunteers, and contractual temporary personnel prior to the commencement of employment/service with the County. The review of criminal history information, and its potential relevance to job responsibilities, is a pre-employment requirement, and no person shall be appointed or permitted to begin work with the County without an appropriate level of review of this information by each department's hiring authority. Criminal history information shall be used by hiring managers to make informed selection decisions and to minimize exposure to any post-employment misconduct.

### **APPLICABILITY OF THIS ORDER:**

The County's background check will be administered by the Employee Relations Department (ERD) and will include a fingerprint based criminal history records check through the Florida Department of Law Enforcement's Volunteer and Employee Criminal Records History System (VECHS) program. Except as herein provided, all new hire employees will undergo such a background check, except new hire employees of County departments that are subject to a provision of the Florida Statutes mandating a fingerprint based criminal history check that includes a Florida Department of Law Enforcement (FDLE) and Federal Bureau of Investigations (FBI) database search. Departments that are required to conduct background checks under other Florida statutory requirements must comply with the provisions of those statutes. If the requirements of these statutory provisions do not include, at a minimum, a fingerprint based check of the FDLE and FBI databases, the employee will be subject to the background check as administered by ERD.

### **PROCEDURE:**

It is vitally important to ensure the timely and fair use of such information as a component of Miami-Dade County's hiring process.

Due to the sensitivity of information which may be obtained from background checks and the potential liability of maintaining and/or the misuse of such information, the Employee Relations Department, the Office of Fair Employment Practices, and the Miami-Dade Police Department will work with the County Attorney's Office to develop appropriate guidelines on the interpretation and utilization of criminal history information. This information will be disseminated to hiring departments through mandatory training that will be provided to those individuals responsible for requesting, interpreting, and maintaining the results of background checks to ensure this information is used in a responsible manner that provides for fair, non-discriminatory treatment.

Criminal history information obtained through the VECHS system is exempt from public records requests and therefore must be maintained accordingly.

This Administrative Order is hereby submitted to the Board of County Commissioners of Miami-Dade County, Florida.

George M. Burgess  
County Manager